

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

**PROPOSED AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
AUGUST 31, 2004
9:00 A.M.**

ROLL CALL

Invocation – Pastor Albert Mays
Pledge of Allegiance

REGULAR AGENDA

1. Discussion and action on the flooding problems that 50-60 businesses located at the intersection of McRae and Carnegie have continued to suffer over the years. Requests for flood control have been made to the City over the past 7 years and have not been addressed to date. Our taxes are going up as high as the water that is flooding our businesses when it rains. [Ali Bourselan and Robert Maupin]
2. Cohen Stadium. [William F. Hart, Jr.]

MAYOR'S PROCLAMATIONS

1. ***City of El Paso Employees Combined Charities Campaign Kick-Off Week***
2. ***Organized Labor Week***

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

3. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of August 24, 2004, and Special City Council Meeting of August 18, 2004 (Budget Wrap-Up).

4. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

5. RESOLUTIONS:

- 5A.** Amending resolution dated June 15, 2004 to include acquisition of property described as Campbell Addition, Lots 11 and 12, Block 44, and to amend the Project description for the Project known as the International Bridges Toll Plaza Facilities construction project.

[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

- 5B.** Authorizing the Project known as the Zoo Western Expansion Project (2000 Quality of Life Bond Project); determining the public necessity; authorizing the acquisition and disposition of property for the Project; authorizing the Deputy Chief Administrative Officer for Building and Planning Services to take all steps necessary to acquire property rights for the Project in compliance with all applicable laws and regulations.

[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

- 5C.** That the Mayor be authorized to execute and file a grant application to the Corporation for National Service for the Foster Grandparent Program in the amount of \$487,851 for the period of September 30, 2004 to September 29, 2005; and

That Natalie Prise, Interim Director, Community and Human Development, be authorized to furnish additional information as the Corporation for National Service may require in connection with the application or the project and that Community Development staff be authorized to submit this reapplication electronically; and

That the Mayor be authorized to execute any Grant Agreements for the above amount, or for a greater or lesser amount, and any amendments to the initial Grant Agreement which increases, decreases or deobligates program funds, provided that no additional City funds are required, upon approval by the Corporation for National Service. The funding obtained with this grant will benefit Districts 1 through 8. **(All Districts)**

[Community and Human Development, Maria Valdivia, (915) 541-4379]

- 5D.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Six Thousand Three Hundred And No/100 Dollars (\$6,300.00, \$5,700.00-Loan \$600.00-Grant), against the following described real property:

Lot 27, Block 6, Lancaster Addition Unit One Section "C", an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 35, Page 19, Plat Records of El Paso County, Texas; known and numbered as 9128 Plymouth

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Five and 24/100 Dollars (\$5.24). **(District 6)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5E.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Nine Thousand And No/100 Dollars (\$9,000.00, \$4,145.00-Loan \$4,855.00-Grant), against the following described real property:

Lots 7 and 8, Block 25, Morningside Heights Addition, an Addition to the City of El Paso, El Paso County, Texas; known and numbered as 3619 Jefferson

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Five Hundred Ninety Eight and 07/100 Dollars (\$598.07). **(District 2)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5F.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Twenty One Thousand Four Hundred And No/100 Dollars (\$21,400.00; \$10,450.00-Loan, \$9,150.00-Loan, \$750.00-Loan, \$1,050.00-Grant), against the following described real property:

The east 40' of Lots 1 through 4, inclusive, Block 254, Campbell Addition, an Addition to the City of El Paso, El Paso County, Texas; known and numbered as 719 Wyoming

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Three Hundred Forty and 19/100 Dollars (\$340.19). **(District 8)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5G.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Four Thousand Two Hundred Fifty And No/100 Dollars (\$4,250.00, \$2,000.00-Loan \$2,250.00-Grant), against the following described real property:

Lot 9, Block 3, Thomas Manor Section One, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 12, Page 33, Plat Records of El Paso County, Texas; known and numbered as 332 Gladys

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City. **(District 3)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5H.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Twenty Five Thousand Seven Hundred Seventy Five And No/100 Dollars (\$25,775.00, \$10,087.00-Loan \$15,688.00-Grant), against the following described real property:

Lot 5, Block 7, Pleasant Valley, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 35, Page 14, Plat Records of El Paso County, Texas; known and numbered as 347 Valle Sereno

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City. **(District 7)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5I.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eight Thousand One Hundred And No/100 Dollars (\$8,100.00, \$7,140.00-Loan \$960.00-Grant), against the following described real property:

Lot 4, Block 1, Bellevue Village, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Volume 5, Page 39, Plat Records of El Paso County, Texas; known and numbered as 4960 Marie Tobin

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Two and 08/100 Dollars (\$2.08). **(District 4)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5J.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Six Thousand One Hundred Fifty And No/100 Dollars (\$6,150.00 -Loan), against the following described real property:

Lot 15, Block 40, Magoffin's Addition, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 14, Page 19, Plat Records of El Paso County, Texas; known and numbered as 808 S. Park

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City. **(District 8)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5K.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Six Thousand One Hundred Fifty And No/100 Dollars (\$6,150.00, \$5,690.00-Loan and \$460.00-Grant), against the following described real property:

Lot 15, Block 40, Magoffin's Addition, an addition to the City of El Paso, El Paso County, Texas, known and numbered as 808 S. Park

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City. **(District 8)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5L.** That the Mayor be authorized to sign a License Agreement by and between the City of El Paso and ExecutivePulse, Inc. in the initial amount of \$24,000.00 with subsequent annual licensing fees of \$3,600.00. **(All Districts)**

[Economic Development, David G. Dobson, (915) 541-4680]

- 5M.** That the Mayor be authorized to sign a Fourth Amendment to Texas Commission on Environmental Quality (TCEQ, formerly known as TNRCC) Contract No. 582-3-55808 and related materials, on behalf of the El Paso City-County Health and Environmental District, as related to the operation and maintenance of monitoring activities for six (6) FRM Samplers (PM 2.5) to amend the contracting period to be from September 1, 2002 to December 31, 2004 for the continued operation of an Air Monitoring Program in the City of El Paso, which is an additional four months. There are no matching funds required.

[El Paso City-County Health and Environmental District, Dr. Jorge C. Magaña, (915) 771-5702]

- 5N.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **NICOLAS MUÑOZ**, to assist the Museum of Art as an Assistant Preparator at an hourly rate of \$10.85 for 40 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

[El Paso Museum of Art, Becky Duval-Reese, (915) 532-1707]

- 5O.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **JEANNINE BONDURANT**, to assist the El Paso Water Utilities as a Programmer Analyst at a biweekly rate of \$1,777.27 for 40 hours per week. The term of the contract shall be for the period of September 18, 2004 through September 17, 2005.

[El Paso Water Utilities Public Service Board, Fred Loweree, (915) 594-5501]

- 5P.** That the Mayor be authorized to sign an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **Karlsruher, Inc., dba CSA Consulting Engineers**, for a project known as “**Ladrillo Street and Drainage Improvements**”, in an amount not to exceed THIRTY-FIVE THOUSAND FOUR HUNDRED TWO and 50/100 DOLLARS (\$35,402.50) **(District 8)**
[Engineering Department, Irene Ramirez, (915) 541-4431]
- 5Q.** Authorizing substitution of DEPFA Bank, PLC as revolving credit provider for the City of El Paso General Obligation Commercial Paper Notes, Series A, authorizing the giving of notice to DEXIA Bank, the existing provider, authorizing the execution of a revolving credit agreement in connection with the substitution, and the execution of a general certificate of the City of El Paso for submission to the Attorney General of Texas.
[Financial and Administrative Services, William Chapman, (915) 541-4011]
- 5R.** That the Mayor be authorized to sign a contract with **BRUCE J. PONDER** for professional services as Hearing Officer for the Civil Service Commission, for a period from September 16, 2004 through December 31, 2004, at the rate of \$100.00 per hour, not to exceed 25 hours per month without prior approval of the Commission Chair. [Human Resources, Terry A. Bond, (915) 541-4509]
- 5S.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **AGUSTIN GALLEGOS**, to assist the El Paso Public Library as a PC/LAN Specialist II at a biweekly rate of \$1,673.73 for 40 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005. [Library, Carol Brey-Casiano, (915) 543-5406]
- 5T.** That the Mayor be authorized to sign an Amended Partnership Agreement between the Upper Rio Grande Workforce Development Board, Inc. and Top Chief Elected Officials of the Upper Rio Grande Workforce Development Area to extend the term of the Partnership's Agreement until October 31, 2004. There is no change to the remaining terms and conditions of the Agreement.
[Mayor's Office, Adrian Ocegueda, (915) 541-4145]
- 5U.** That the Mayor is hereby authorized to sign, on behalf of the City, a Lease Agreement between **LUCIANA V. LYON**, individually and as Independent Executrix of the Estate of Charles Lyon, Jr., Lessor, and THE CITY OF EL PASO, Lessee. Said Lease is for fifty-six (56) parking spaces located at 216 South Ochoa Street, El Paso, El Paso County, Texas and adjacent to the Municipal Court facility in downtown El Paso.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]
- 5V.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **GERARDO VELAZQUEZ**, to assist the Parks and Recreation Department as a Project Review Coordinator at a biweekly rate of \$1,880.00 for 40 hours per week. The term of the contract shall be for the period of September 20, 2004 through September 19, 2005.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

- 5W.** That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2004/2005** appropriations to be approved by the City Council.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

GALATZAN RECREATION CENTER**DEPARTMENT ID: 51510131, ACCOUNT 501011**

1. CONTRACTOR: Liliana Banuelos, Daycare Instructor Aide, Step 1
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$5.35
CONTRACT NO: **2004/2005-055**

NOLAN RICHARDSON RECREATION CENTER**DEPARTMENT ID: 51510074, ACCOUNT 501011**

2. CONTRACTOR: Belinda Fisher, Daycare Instructor Aide, Step 6
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$6.60
CONTRACT NO: **2004/2005-056**
3. CONTRACTOR: Alma Gonzalez, Daycare Instructor Aide, Step 2
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$5.60
CONTRACT NO: **2004/2005-057**
4. CONTRACTOR: Ofelia Losoya, Daycare Director, Step 3
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$8.35
CONTRACT NO: **2004/2005-058**
5. CONTRACTOR: Evelyn Pena, Daycare Instructor Aide, Step 3
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$5.85
CONTRACT NO: **2004/2005-059**

NORTHEAST RECREATION CENTER**DEPARTMENT ID: 51510107, ACCOUNT 501011**

6. CONTRACTOR: Olga A. Napoles, Daycare Instructor
DATES: September 13, 2004 through August 31, 2005
RATE PER HR: \$6.25
CONTRACT NO: **2004/2005-060**

PAVO REAL RECREATION CENTER**DEPARTMENT ID: 51510115, ACCOUNT 501011**

7. CONTRACTOR: Rebecca A. Serrano, Daycare Instructor Aide, Step 1
DATES: September 01, 2004 through August 31, 2005
RATE PER HR: \$5.90
CONTRACT NO: **2004/2005-061**

AQUATICS**DEPARTMENT ID: 51010281, ACCOUNT 501011**

8. CONTRACTOR: Alma S. Gallegos, Pool Attendant, Step 2
DATES: September 01, 2004 through September 30, 2004
RATE PER HR: \$5.60
CONTRACT NO: **2004/2005-062**
9. CONTRACTOR: Adriana Blackburn, Senior Lifeguard, Step 4
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$7.20
CONTRACT NO: **2004/2005-063**
10. CONTRACTOR: Anaiza Fraire, Senior Lifeguard, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.60
CONTRACT NO: **2004/2005-064**
11. CONTRACTOR: Fredo Alejandre, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-065**
12. CONTRACTOR: Frank Bermudez, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-066**
13. CONTRACTOR: Michelle Cabral, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-067**
14. CONTRACTOR: Derya Cakmar, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-068**
15. CONTRACTOR: Mayra Cobos, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-069**
16. CONTRACTOR: Ruby Cobos, Lifeguard, Step 4
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.40
CONTRACT NO: **2004/2005-070**
17. CONTRACTOR: Heather Curiel, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-071**

18. CONTRACTOR: Samantha Delgado, Lifeguard, Step 2
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.00
CONTRACT NO: **2004/2005-072**
19. CONTRACTOR: Audrey Flores, Lifeguard, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.20
CONTRACT NO: **2004/2005-073**
20. CONTRACTOR: Nicolas Haddox, Lifeguard, Step 2
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.00
CONTRACT NO: **2004/2005-074**
21. CONTRACTOR: Lauren Harville, Lifeguard, Step 4
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$6.40
CONTRACT NO: **2004/2005-075**
22. CONTRACTOR: Luis Arzola, Pool Attendant, Step 3
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.80
CONTRACT NO: **2004/2005-076**
23. CONTRACTOR: Amber Benge, Swim Instructor, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.35
CONTRACT NO: **2004/2005-077**
24. CONTRACTOR: Joseph Candelaria, Pool Attendant, Step 2
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.60
CONTRACT NO: **2004/2005-078**
25. CONTRACTOR: Melissa S. Castaneda, Pool Attendant, Step 2
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.60
CONTRACT NO: **2004/2005-079**
26. CONTRACTOR: Raul Caudillo, Pool Attendant, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.40
CONTRACT NO: **2004/2005-080**
27. CONTRACTOR: Crystal Chavez, Pool Attendant, Step 2
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.60
CONTRACT NO: **2004/2005-081**
28. CONTRACTOR: Juanita Duchene, Pool Attendant, Step 1
DATES: October 01, 2004 through September 30, 2005
RATE PER HR: \$5.40
CONTRACT NO: **2004/2005-082**

29. CONTRACTOR: Ann M. Guerra, Pool Attendant, Step 3
 DATES: October 01, 2004 through September 30, 2005
 RATE PER HR: \$5.80
 CONTRACT NO: **2004/2005-083**
30. CONTRACTOR: Adrienne Acosta, Swim Instructor, Step 1
 DATES: October 01, 2004 through September 30, 2005
 RATE PER HR: \$5.35
 CONTRACT NO: **2004/2005-084**
31. CONTRACTOR: Claudia Acuna, Swim Instructor, Step 1
 DATES: October 01, 2004 through September 30, 2005
 RATE PER HR: \$5.35
 CONTRACT NO: **2004/2005-085**
32. CONTRACTOR: Graciela Casas, Swim Instructor, Step 2
 DATES: October 01, 2004 through September 30, 2005
 RATE PER HR: \$5.50
 CONTRACT NO: **2004/2005-086**
33. CONTRACTOR: Fabian Elizondo, Swim Instructor, Step 1
 DATES: October 01, 2004 through September 30, 2005
 RATE PER HR: \$5.35
 CONTRACT NO: **2004/2005-087**
34. CONTRACTOR: Lucas Ellison, Pool Attendant, Step 2
 DATES: October 01, 2004 through September 30, 2005
 RATE PER HR: \$5.60
 CONTRACT NO: **2004/2005-088**
35. CONTRACTOR: Deyanira N. Gallegos, Swim Instructor, Step 1
 DATES: October 01, 2004 through September 30, 2005
 RATE PER HR: \$5.35
 CONTRACT NO: **2004/2005-089**

- 5X.** That the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2004/2005** appropriations to be approved by the City Council.
 [Parks & Recreation, Norman Merrifield, (915) 541-4331]

MULTI-PURPOSE COMMUNITY CENTER
DEPARTMENT ID: 51510032, ACCOUNT 502214

1. CONTRACTOR: Claudia Avila, Belly Dancing Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER CL: \$9.00
 MAXIMUM AMT: \$936.00
 CONTRACT: **2004/2005-061**

2. CONTRACTOR: Matilde Guillen, Yoga Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER CL: \$15.75
 MAXIMUM AMT: \$1,638.00
 CONTRACT: **2004/2005-062**

SAN JUAN RECREATION CENTER
DEPARTMENT ID: 51510123, ACCOUNT 502214

3. CONTRACTOR: Patricia Chavez, Aerobic Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER CL: \$11.60
 MAXIMUM AMT: \$2,412.80
 CONTRACT: **2004/2005-063**

4. CONTRACTOR: William Collins, Karate Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER CL: \$9.65
 MAXIMUM AMT: \$1,003.60
 CONTRACT: **2004/2005-064**

5. CONTRACTOR: Jose Luis Guillen, Yoga Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER CL: \$14.32
 MAXIMUM AMT: \$1,489.28
 CONTRACT: **\$2004/2005-065**

6. CONTRACTOR: Joe V. Hernandez, Scorekeeper for Basketball
 DATES: September 01, 2004 through August 31, 2005
 RATE PER CL: \$8.00
 MAXIMUM AMT: \$1,248.00
 CONTRACT: **2004/2005-066**

7. CONTRACTOR: Martin Maldonado, Officiate Basketball Leagues
 DATES: September 01, 2004 through August 31, 2005
 RATE PER CL: \$14.00
 MAXIMUM AMT: \$1,456.00
 CONTRACT: **2004/2005-067**

8. CONTRACTOR: Anita Martell, Aerobic Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER CL: \$7.90
 MAXIMUM AMT: \$1,643.20
 CONTRACT: **2004/2005-068**

PAVO REAL RECREATION CENTER
DEPARTMENT ID: 51510115, ACCOUNT 502214

9. CONTRACTOR: Rebecca Grado, Martial Arts Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER CL: \$10.00
 MAXIMUM AMT: \$1,100.00
 CONTRACT: **2004/2005-069**

10. CONTRACTOR: Maria G. Rocha, Ballet/Folklorico Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER CL: \$12.00
 MAXIMUM AMT: \$1,320.00
 CONTRACT: **2004/2005-070**
11. CONTRACTOR: Irma Romero, Fitness Instructor
 DATES: September 01, 2004 through August 31, 2005
 RATE PER CL: \$12.00
 MAXIMUM AMT: \$4,920.00
 CONTRACT: **2004/2005-071**

YOUTH OUTREACH PROGRAM**DEPARTMENT ID: 51150056, ACCOUNT 502215**

12. CONTRACTOR: Norma Ponce-Gomez, Fine Arts Instructor
 DATES: September 13, 2004 through December 31, 2004
 RATE PER CL: \$20.00
 MAXIMUM AMT: \$1,000.00
 CONTRACT: **2004/2005-072**

YOUTH OUTREACH PROGRAM**DEPARTMENT ID: 51511089, ACCOUNT 502214**

13. CONTRACTOR: Sergio Ruvalcaba, Tennis Instructor
 DATES: September 13, 2004 through April 30, 2005
 RATE PER CL: \$9.00
 MAXIMUM AMT: \$648.00
 CONTRACT: **2004/2005-073**

- 5Y.** That the Mayor be authorized to sign an Agreement granting an Overhead Electrical Easement to the El Paso Electric Company within Memorial Park, El Paso County, Texas. This is a 2000 Quality of Life Bond Project.
 [Perspectiva + 3D/I (P+3), Juan Contreras, (915) 225-3449]
- 5Z.** That the Mayor be authorized to sign an Agreement granting an Overhead Electrical Easement to the El Paso Electric Company in a portion of Tract 3, Nellie D. Mundy Survey #240, El Paso County, Texas. The easement is on the site for the Westside Sports Complex. This is a 2000 Quality of Life Bond Project. [Perspectiva + 3D/I (P+3), Juan Contreras, (915) 225-3449]
- 5AA.** That the Mayor be authorized to sign and submit a request to extend the award ending date of the Bureau of Justice "NIBRS Implementation of a Texas Collaboration of Jurisdictions" Grant and the Memorandum of Understanding/Local Agency agreement for funding, by extending the award ending date to July 31, 2005.
 [Police Department, Assistant Chief Paul Cross, (915) 564-7310]

- 5BB.** That the Mayor be authorized to sign a Texas Highway Traffic Safety Program Grant Agreement, including all necessary documents, letters, understandings and assurances contained therein, and accept a grant in the amount of \$559,888 from the Texas Department of Transportation, for a STEP-Safe and Sober grant to conduct selected traffic enforcement programs focusing on DWI and speeding violations throughout the City of El Paso; that the Chief of Police be authorized to sign and submit any necessary revisions to the operational plan; that the grant officials be as designated in the agreement; and that the Mayor be authorized to execute on behalf of the City of El Paso, any grant amendments or corrections to the initial Grant Agreement which increase, decrease or deobligate program funds provided that no additional City funds are required, or which decrease the amount of matching funds, and any documents to request and accept an extension of the award ending date for the grant. In kind match required in the amount of \$328,203. [Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 5CC.** That the Chief of Police be authorized to submit a grant application from the El Paso Police Department, the City, and appropriate City staff, be authorized to effect all necessary budget transfers and the Mayor be authorized to sign any related paperwork, including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant, to the U.S. Department of Justice, Solving Cold Cases with DNA, in the amount of \$750,000, for the purpose of setting up a DNA analysis laboratory and a Cold Case program which will pay the salaries and benefits for two detectives. Matching funds are not required.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 5DD.** That the Mayor be authorized to sign an Interlocal Governmental Agreement by and between the City of El Paso and the County of El Paso, a political subdivision of the State of Texas, for the implementation of the SHOCAP Task Force in conjunction with a Juvenile Justice Accountability Grant from the Office of the Governor, Criminal Justice Division. The City will pass grant funds through to the County for a portion of the County Attorney's costs to provide training and related educational services regarding drugs, gangs and youth violence and for the hiring of a full-time tracker by the Juvenile Probation Department.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 5EE.** That the Mayor be authorized to sign Customer License Agreement and Customer License Agreement Amendment entered into by and between the City of El Paso and Micromedex.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 5FF.** That the Mayor be authorized to sign a contract between the City of El Paso and the El Paso County Water Control and Improvement District #4 and the El Paso County Municipal District #1 pursuant to which the El Paso County Water Control and Improvement District #4 and the El Paso County Municipal District #1 join various other entities for whom the City of El Paso will act as Assessor/Collector.
[Tax Office, Juan Sandoval, (915) 541-4369]

6. STAFFING TABLE CHANGE:

Mayor & Council

Delete 1.00

Administrative Assistant

GS 23

[Mayor & Council, Jim Martinez, (915) 541-4015]

7. Appointment of Patrick (Rick) Connor as City Engineer, effective September 7, 2004.

[Mayor, Joe Wardy, (915) 541-4015]

8. Appointment of Robert Salinas as Community and Human Development Director, effective August 31, 2004. [Mayor, Joe Wardy, (915) 541-4015]**9. Request that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign the payment agreements on behalf of the City: [Tax Office, Juan Sandoval, (915) 541-4369]****9A.** PID #A520-999-0520-1700, \$310.69 per month installments on a balance of \$3,728.28 for 1998 & 1999 taxes; Rick J. Luther – 3315 Memphis Ave. **(District 2)****9B.** PID #L985-000-0004-0017, \$694.27 per month installments on a balance of \$8,331.24 for 2002 & 2003 taxes; Francisco J. & Mar Anguiano – 358 Tania. **(District – County)****9C.** PID #'s R053-000-0010-0300 & L080-000-0004-0007, \$223.31 per month installments on a balance of \$2,679.72 for 2002 & 2003 taxes; Alfredo V. Marquez – 809 Franklin St. **(District 8)****10. APPLICATIONS FOR TAX REFUND: [Tax Office, Juan Sandoval, (915) 541-4369]****10A.** First Savings Bank in the amount of \$12,302.59 overpayment of 2003 taxes. (PID #A445-999-0020-0150)**10B.** Maria Mena in the amount of \$4,223.14 overpayment of 2003 taxes. (PID #E054-999-0310-4500)**10C.** Hector N. Cota in the amount of \$2,700.00 overpayment of 2003 taxes. (PID #S816-999-1210-3600)**10D.** Irwin Mortgage Corp. in the amount of \$3,986.57 overpayment of 2003 taxes. (PID #C340-999-0600-4300)**10E.** Irwin Mortgage Corp. in the amount of \$2,934.96 overpayment of 2003 taxes. (PID #H788-010-0490-0200)**10F.** Long John Silvers in the amount of \$6,752.62 overpayment of 2002 taxes. (PID #L447-999-0510-1600)**11. DISCRETIONARY FUNDS:**

Request to allocate ONE HUNDRED DOLLARS (\$100.00) from District #4 Discretionary Funds be used towards the "user fee" for Cohen Center for the third annual "Heroes Charity Softball" event on September 11th, 2004, at the Andy and Syd Cohen Center. [Representative John F. Cook, (915) 541-4140]

12. Request that the Director of Purchasing be authorized to issue purchase order(s) to B&G Chemical & Equipment Co., for mosquito control chemicals for FY2004/2005 and any extension thereof. B&G Chemical & Equipment Co. is the sole distributor in Texas, as long as it is a sole source for Aqua-Reslin, Scourage (restricted use pesticide), Altosid, BVA-Mineral Oil, BVA2 Larvicide Oil, and Vectobac. Contract 2000-018

Department: Health Environmental Vector Control
 Funds available: 41010147-01101-503112
 Funding source: Operating Fund Medical/Clinical Supplies
 Total award: \$65,000.00 (estimated)
 [Purchasing Department, Ray Heredia, (915) 541-4316]

13. CHANGE ORDER: [Purchasing Department, Byron Johnson, (915) 541-4308]

Change Order No. Three (Construction Change) to J. D. Abrams, L. P. for "Clint Landfill Phase I, Cells 1 and 2 project" for an increase amount of \$27,139.02. The purpose of this change order is:

1. To furnish and install an additional nine (9) Buffer zone and five (5) Easement markers. \$3,278.68.
2. To provide electrical power to the surveillance cameras at the Landfill Cell No. 1 and at the fee house. \$10,235.00
3. To construct a 20' x 100' concrete approach slab to the waste screening pad. \$15,793.33.
4. To fabricate and install two (2) each anti-vortex on the 24" RCP risers at the retention pond. \$1,066.33
5. To furnish 2-tripods, tribrach w/opt. Plummet, marine battery and battery charger for the GPS system. \$1,071.68
6. Video Surveillance System: (\$4,306.00)
 - A. To eliminate the NEMA 12 trailer mounted camera control cabinet including solar power supply at Landfill Cell No. 1.
 - B. Install the video cameras on existing power poles at Landfill Cell No. 1 and fee house.
 - C. Install the 10 MPS link to the Solid Waste Offices to the existing communication tower at the Landfill.

14. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Bid No.: 2004-231 Medical Examiners Facility Modification
 Contractor: Jan-Car, Inc.
 Horizon City, Texas
 Department: City-County Health and Environmental District
 Funding source: 508027-06086-41150023-PPWHE04002,
 TDH Public Health Pre. FY04 Grant \$250,000.00
 508027-05621-41150012-PPWHE04002,
 TCEQ PM Sampling Grant \$224,760.00
 508027-06084-41150015-PPWHE04002,
 TDH Bio-Terrorism Laboratory Grant \$26,000.00
 508027-05533-41150015-PPWHE04002,
 Dept. of Health & Human Svcs. Grant \$196,240.00
 Items: Base Bid \$697,000.00
 Total award: \$697,000.00
 District (s): 3

The Departments of Engineering, Purchasing and the City-County Health and Environmental District recommend the award of this contract to Jan-Car, Inc. City Council hereby finds that this Offeror has provided the Best Value Proposal to the City. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council. [Purchasing Department, Byron Johnson, (915) 541-4308]

15. REQUEST FOR PROPOSAL:

This competitive sealed bid proposal is being awarded to the responsible offeror whose proposal is determined to be the most advantageous to the City, considering the relative importance of price and the other evaluation factors included in the request for proposal.

Bid No.: 2004-244R Physical Examination Services
Award to: Westside Urgent Care Center
El Paso, TX
Item (s): All
Amount: \$90,650.00 (estimated yearly)

Department: Human Resources
Funds available: Various
Funding source: Various
Total award: \$271,950.00
District (s): All

Human Resources Department and Purchasing recommend award as indicated, as this vendor is the low, responsive and responsible bidder meeting specifications.

This is a thirty-six [36] month contract with no renewable options.
[Purchasing Department, Ray Heredia, (915) 541-4316]

16. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

16A. Bid No.: 2004-194 25-Yard Roll Off Trucks
Award to: Southwest Sterling Inc.
El Paso, Texas
Item (s): Item: 1-25 Yard Roll Off Trucks
Item: 1 Unit Price (\$100,832.00) 3 ea. \$302,496.00
Option: O-1 Unit Price (\$2,130.00) 3 ea. \$ 6,390.00
Option: O-8 (No Charge) \$ 0.00
Option: O-10 Unit Price (\$100.00) 3 ea. \$ 300.00
Amount: \$309,186.00

Departments: Street Department & Solid Waste Management
 Funds available: 508006-29203-04200401-PMB0005003 (Street)
 508006-40415-34340200-PMB0005003
 (Solid Waste Mgt)
 Funding source: FY2004 General Obligation Bonds (Street)-
 Capital Acquisition
 FY2004 Solid Waste Department Revenue Bonds-
 Capital Acquisition
 Total award: \$309,186.00
District (s): All

The Fleet Services, Street, Solid Waste Management, and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase of three 25-Yard Roll Off Trucks. One truck will be for the Street Department and two trucks for Solid Waste Management Department. There are options to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the options are exercised within sixty (60) days, ninety (90) days, and one hundred eighty (180) days from the date of award of the contract. No prompt payment discount is offered.

It is requested that the Mayor and Staff be authorized to execute budget transfers for this purchase, as necessary.

[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

16B. Bid No.: 2004-200 Graffiti Removal Truck
 Award to: Casa Ford Inc.
 El Paso, TX
 Item (s): Item 1-Graffiti Removal Truck \$75,239.90
 Option: O-1 \$ 3,506.00
 Total Bid Award: \$78,745.90

 Department: Street Department
 Funds available: 508006-29203-04200401-PMB0005003
 Funding source: FY2004 General Obligation Bonds-Capital Acquisition
 Total award: \$78,745.90
District (s): All

The Fleet Services, Street, and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase a Graffiti Removal Truck.

There are options to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the options are exercised within sixty (60) days, ninety (90) days, and one hundred eighty (180) days from the date of award of the contract. No prompt payment discount is offered.

It is requested that the Mayor and Staff be authorized to execute budget transfers for this purchase, as necessary.

[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

16C. Bid No.: 2004-222 Sale of Recyclable Material
Award to: Durango-McKinley Paper Co.
El Paso, TX
Item (s): All
Amount: \$295,600.00 (estimated yearly)

Department: Solid Waste Management
Budget No: Revenue
Funding: Revenue
Total award: \$295,600.00 (estimated yearly)
District (s): All

Purchasing and Solid Waste Management recommend award as indicated, Durango-McKinley Paper Co. is the sole bidder and meets all requirements.

This is a thirty-six months contract with the options to extend the term of the contract for two additional years, one-year period at a time.

[Purchasing Department, Ray Heredia, (915) 541-4316]

16D. Bid No.: 2004-227 Mobile Thermal Destruction Unit
Award to: Reactive & Explosive Materials Training Corporation
Branchville, NJ
Item (s): 1-Mobile Thermal Destruction Unit
Amount: \$29,500.00

Department: Police Department
Funds available: 508007-16371-21150060-21000-P500231
Funding source: Confiscated Funds - Federal
Total award: \$29,500.00
District (s): All

The Fleet Services, Street, and Purchasing Departments recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties. A lower bid was received, but did not fully comply with the specifications as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase a Mobile Thermal Destruction Unit. There is an option to purchase up to one hundred percent (100%) of the original contract quantity, at the same unit price, if the option is exercised within ninety (90) days from the date of award of the contract. No prompt payment discount is offered.

It is requested that the Mayor and Staff be authorized to execute budget transfers for this purchase, as necessary.

[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

16E. Bid No.: 2004-228 Fence Material
Award to: M & M Fence Company
El Paso, Texas
Item (s): All
Amount: \$210,000.00 (estimated)

Department: Department of Aviation
Funds available: 62620003-503121
Funding source: Airport Operating Fund
Total award: \$210,000.00 (estimated)
District (s): 3

The Department of Aviation and the Purchasing Department recommend award as indicated to the sole responsive offer that was received.

This is a thirty-six (36) month requirements-type Contract for Fence Materials at the El Paso International Airport, however, other City departments may utilize this Contract to meet their requirements as the need arises. The Contract will officially begin at 12:01 midnight, September 5, 2004.

Vendor offers a 2% prompt payment discount if paid within 10 days. There was no option offered to extend the term of the agreement.

[Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

17. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]

17A. BT2004-1170 AIRPORT

Transfer of funds to set up funding for the EPIA lift station reconstruction project.

Increase	\$ 1,000	to	62620029/PAP003241073/502205	LegalNotices
Increase	\$ 1,000	to	62620029/PAP003241073/502302	PrintShopChg
Increase	\$ 1,000	to	62620029/PAP003241073/502304	MailRoomChg
Increase	\$ 17,000	to	62620029/PAP003241073/508016	Arch & Dsgn
Increase	\$ 5,000	to	62620029/PAP003241073/508024	Testing
Increase	\$ 5,000	to	62620029/PAP003241073/508026	Inspections
Increase	\$200,000	to	62620029/PAP003241073/508027	Construction
Increase	\$ 5,000	to	62620029/PAP003241073/508051	CityProgMgmt
Increase	\$235,000	to	62620029/PAP003241073/407001	Intfd Trf In
Increase	\$235,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$235,000	to	62620018/P50000241021/507001	Intfd Trf Out

17B. BT2004-1172 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$24,744 received from Western Refinery for the installation of pedestrian flashers at Trowbridge.

(District 3)

Increase	\$24,744	to	31255012/PPW005227691/405067	ReimbExpend
Increase	\$ 3,034	to	31255012/PPW005227691/508050	Design
Increase	\$21,710	to	31255012/PPW005227691/508027	Construction

17C. BT2004-1173 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$22,440 received from EPISD as reimbursement for the flasher installation at Mary Tippin Elementary School on Bear Ridge Dr. **(District 1)**

Increase	\$22,440	to	31255005/PPW005227691/405067	ReimbExpend
Increase	\$ 4,585	to	31255005/PPW005227691/508027	Construction
Increase	\$17,855	to	31255005/PPW005227691/508050	Design

18. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

18A. Kern Place Merchants Association to use amplification (4 speakers) at the corner of Cincinnati and Mesa (2 speakers will be located East of Cincinnati/Mesa & 2 speakers will be located north of Cincinnati/ Stanton) on September 12, 2004, and October 30, 2004 from 7:00 p.m. to 10:00 p.m. Approximately 20 persons will take part and 300 spectators are anticipated on September 12, 2004 and 4,500 spectators are anticipated on October 30, 2004. PERMIT NO. 04-081 **(District 1)** [Kenneth Rico Velasquez]

18B. Candlelighters of the El Paso Area to hold a cancer awareness walk on September 18, 2004 from 6:00 p.m. to 10:00 p.m. Route: Start at Tom Lea (lower) Park to Brown, turn right on Schuster to Stanton, turn right on Stanton to Rim Rd., turn right on Rim Rd., proceed on Rim Rd. to Brown, and finish at Tom Lea (lower) Park. Approximately 300 persons, 6 vehicles will take part and 100 spectators are anticipated. This request includes permission to use amplification (4000 watts, 4 cabinet speakers, and 1 microphone). PERMIT NO. 04-089 **(Districts 1 and 8)** [Steve Gonzales]

REGULAR AGENDA**19. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

19A. An Ordinance changing the zoning of a portion of Lot 36, Block 3, Shadow Mountain Heights Replat B, El Paso, El Paso County, Texas from R-3 (Residential) and PR-II/sc (Planned Residential II/special contract) to R-4 (Residential) and R-4/sc (Residential/special contract). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: B.A.R. Construction, Inc. ZON04-00083 **(District 1)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 19B.** An Ordinance changing the zoning of Tracts 3A2, 3B2 and 3B3, Block 7, Upper Valley Surveys, El Paso, El Paso County, Texas from R-3 (Residential) to C-1 (Commercial) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Country Club Office Park L.L.C. ZON04-00096 **(District 8)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 21, 2004 FOR ITEMS 19A – 19B

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

20. MAYOR AND COUNCIL:

- 20A.** Discussion and action to direct the Planning, Research and Development Department to place the following item on the CPC Agenda for reconsideration: **SUB04-00036:** Velez Subdivision - Preliminary; Being all of Tract 2, Block 6, Christy Tract, City of El Paso, El Paso County, Texas.
[Representative Vivian Rojas, (915) 541-4108]
- 20B.** Discussion and action on health, safety, welfare, environmental, engineering and BP&I enforcement issues regarding 131 South Yarbrough Dr., Tract 23B, Block 29, Ysleta Grant and Tract 8H, Block 33, Ysleta Grant, El Paso, El Paso County, Texas. [Representative Vivian Rojas, (915) 541-4108]
- 20C.** Discussion and action on the proposed golf course/driving range at Mesa Dam.
[Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]
- 20D.** Discussion and action regarding the rescinding of the demolition of the property at 164 Rio Monte due to the progress of work performed, and being performed, by the property owner. [Representative Jose Alexandro Lozano, (915) 541-4515]
- 20E.** Discussion and action regarding the current condition of the properties at 7200-7300 North Loop regarding the abandoned buildings, open property lots, and illegal dumping that is constantly occurring and not being addressed by the property owner. [Representative Jose Alexandro Lozano, (915) 541-4515]
- 20F.** Authorization to distribute \$1,000 from District 3 Discretionary Funds to the Mission Valley Regional Command Center for Pride Day activities planned for November 6, 2004. [Representative Jose Alexandro Lozano, (915) 541-4515]
- 20G.** Authorization to distribute \$1,000 from District 3 Discretionary Funds to the Central Regional Command Center for Pride Day activities planned for November 6, 2004. [Representative Jose Alexandro Lozano, (915) 541-4515]

21. BUILDING AND PLANNING SERVICES:

- 21A.** Staff briefing on the status of the street and drainage improvements within Kimberly Heights Subdivision and the levy of a lien assessment against owners of property abutting the improved streets. **(District 5)**
[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]
- 21B.** Discussion and Action to (1) direct the Building & Planning Services Department and the City Attorney's Office to conduct a new public hearing process relative to levying an assessment against owners of property within the Kimberly Heights Subdivision for completed street and drainage improvements; and (2) direct that a revised lien cost based on the front foot charge be recalculated based on the requirements of the Texas Transportation Code. **(District 5)**
[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

22. ENGINEERING:

Discussion and action on approval of Conditional "B" building permits for River Park West Subdivision Unit Two. **(District 1)**
[Engineering Department, Bashar Abugalyon, (915) 541-4157]

23. FINANCIAL AND ADMINISTRATIVE SERVICES:

- 23A.** Public Hearing on the Proposed Budget for the City of El Paso for the Fiscal Year 2004-2005. [Financial and Administrative Services, William A. Chapman, and Office of Management and Budget, David Almonte, (915) 541-4011]
- 23B.** Discussion and action on a Resolution that the Proposed Budget for the City of El Paso, filed by the Mayor with the City Clerk on July 1, 2004, is hereby approved and adopted by the City Council, as amended, as the Annual Budget for the Fiscal Year 2004-2005 for the City of El Paso.
[Financial and Administrative Services, William A. Chapman, and Office of Management and Budget, David Almonte, (915) 541-4011]
- 23C.** Discussion and action on the Resolution that the appropriation for personnel and essential operating supplies made during the 2004-2005 Fiscal Year shall be extended until the new Budget is adopted and expenditures may be made only in accordance with that appropriation.
[Financial and Administrative Services, William A. Chapman, and Office of Management and Budget, David Almonte, (915) 541-4011]
- 23D.** Discussion and Action on Statement of Intent of Texas Gas Service Company to Change Rates to implement Gas Reliability Infrastructure Program, Implement an Economic Development Rate Schedule EDR, and Amend Cost of Gas Clause to change hedging provisions, and amend Transportation Schedules to add Balancing Provisions.
[Financial and Administrative Services, William Chapman, (915) 541-4011]

24. PERSPECTIVA + 3D/I (P+3):

Discussion and action that the Mayor and City Council approve the Program Manager's parks contingency allocation plan as outlined in P+3's Program Outlook report dated August 12, 2004, attached, as ratified by the Bond Overview Advisory Committee (BOAC) on August 17, 2003. This is a 2000 Quality of Life Bond Project. [Perspectiva + 3D/I (P+3), Juan Contreras, (915) 225-3449]

25. PLANNING, RESEARCH AND DEVELOPMENT:

25A. Discussion and action on a Resolution that the City accepts the dedication of a Street Right-of-Way located within a portion of Tract 1A, Block 11, Upper Valley Surveys (the extension of Gomez Road to serve Valley Creek Park), City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds in the attached Exhibit "A" from Frontera Vista L.P., a Texas Limited Partnership. **(District 1)** [Planning, Research & Development, Rudy Valdez, 541-4635]

25B. Discussion and action on the creation of an Ad Hoc Committee to be charged with investigating and defining geologically occurring contours on and around the Franklin Mountains that could serve as water conveyance and/or runoff channels; to assess and review impact to development within those areas, to review legal authority and planning and engineering data; and to return to the El Paso City Council within 90 days with an appropriate ordinance.
[Planning, Research and Development, George Sarmiento, (915) 541-4193]

26. PURCHASING:

26A. Request approval for the Director of Purchasing to reject the bids submitted for Bid No. 2004-148, 40 Yard Front Load Refuse Trucks for the Solid Waste Management Department. The Purchasing Department, Solid Waste Management Department, and Fleet Services Department recommend rejecting all bids. [Purchasing Department, Monica Vera, (915) 541-4234]

26B. Request approval for the Director of Purchasing to reject the bids submitted for Bid No. 2004-188 5000 Gallon Water Tanker for the Solid Waste Management Department. The Purchasing Department, Solid Waste Management Department, and Fleet Services Department recommend rejecting all bids in order to review the necessity, function, and design of this equipment after the final report from RW Beck is reviewed.
Departments: Solid Waste Department and Fleet Services Department
[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

26C. Request approval for the Director of Purchasing to reject the bids submitted for Bid No. 2004-189 Track-Type Tractor (Dozer) for the Solid Waste Management Department. The Purchasing Department, Solid Waste Management Department, and Fleet Services Department recommend rejecting all bids in order to review the necessity, function, and design of this equipment after the final report from RW Beck is reviewed.
Departments: Solid Waste Department and Fleet Services Department
[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

26D. BID:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

Bid No.:	2004-204	Airfield Lighting and Controls
Contractor:		EAS Contracting, L. P. Dallas, Texas
Department:		Airport
Funds Available:		62620031-G620AIP0021-11510-508027
Funding Source:		Federal Aviation Administration Grant
Items:		Base Bid I \$4,076,260.00
		Base Bid II \$1,508,108.00
Total Award:		\$5,584,368.00
District (s):	2	

RECOMMENDATION:

The Departments of Aviation, Purchasing and Engineering, recommend the award of this contract to EAS Contracting, L. P. the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity.

The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term. [Purchasing Department, Barbara Crumley, (915) 541-4315]

27. PUBLIC HEARINGS – BUILDING PERMITS AND INSPECTIONS:

- 27A.** Public hearing to determine if the property located at 378 S. Santa Fe Street AKA 115 W. Paisano Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 26th, 2003. The owner of this property, Anid, Inc., 2120 Myrtle Avenue, El Paso, Texas 79901, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 8)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 27B.** Public hearing to determine if the property located at 6127-6135 N. Mesa Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated February 2004. The owner of this property, Karl M. Friedman, 5647 A Cory Drive, El Paso, Texas 79932, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 8)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

27C. Public hearing to determine if the property located at 10600 Michelle Lane, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated May 2004. The owner of this property, Charles E. Martin, 10600 Michelle Lane, El Paso, Texas 79924, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 4)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

27D. Public hearing to determine if the property located at 7429 Rose Circle, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 11th, 2003. The owners of this property, Teresa L. Lerma and Eduardo N. Lerma, 1417 Montana Avenue, El Paso, Texas 79902, have been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 3)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

28. PUBLIC HEARING – ECONOMIC DEVELOPMENT:

An Ordinance amending Title 15 (Public Services), To amend Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses) of the El Paso Municipal Code by adding Subsection 15.08.120.C.9 to recognize the creation of Chapter 13.30 of this Code which addresses the issuance of permits for film making events; the penalty being as provided in Section 13.30.130 of the Municipal Code. **(All Districts)**
[Economic Development, David G. Dobson, (915) 541-4680]

29. PUBLIC HEARING – ENGINEERING DEPARTMENT, TRAFFIC DIVISION:

An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Of The El Paso Municipal Code, To Delete Subsection Identifying The Speed Limit As Thirty-Five Miles Per Hour On Glengarry Avenue from McRae Boulevard to Darlina Drive. The Penalty Is As Provided In Section 12.84.010 of The El Paso Municipal Code. **(District 3)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

30. PUBLIC HEARINGS – HUMAN RESOURCES:

30A. An ordinance amending Ordinance 8064, Civil Service Rules and Regulations, to change references made to the Chief Administrative Officer and Mayor to the City Manager as necessitated by the transition to a Council-Manager form of government. [Human Resources, Terry A. Bond, (915) 541-4509]

30B. An ordinance amending Ordinance 8065, Civil Service Rules and Regulations, to change references made to the Chief Administrative Officer and Mayor to the City Manager as necessitated by the transition to a Council-Manager form of government. [Human Resources, Terry A. Bond, (915) 541-4509]

31. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:

- 31A.** An Ordinance changing the Zoning of Tract 26-A, Block 29, Ysleta Grant, El Paso, El Paso County, Texas, (108 Seneca Drive) from C-3 (Commercial) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Antonio Cobos; Representative: Jesus Jaime; 436 Bahia Kino, El Paso, TX 79915. ZON04-00075 **(District 7)**
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 31B.** An Ordinance changing the zoning of a portion of Tract 3, Block 3, Picnic Grove Subdivision, El Paso, El Paso County, Texas (9725 Alameda Avenue) from M-1/sc (Light Manufacturing/special contract) to C-4/sc (Commercial/special contract). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Arturo Martinez. ZON04-00082. **(District 6)**
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 31C.** An Ordinance changing the zoning of West 50' of Lot 30, Block 7, Magoffin Homestead Addition, El Paso, El Paso County, Texas (1127 East San Antonio Avenue) from A-3/H (Apartment/Historic) to S-D/H (Special Development/Historic). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Alberto J. De La Chica, Jr. ZON04-00085. **(District 8)** [Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 31D.** An Ordinance vacating a portion of Ethel Road adjacent to Sunset View Subdivision Unit 1, W.H. Lenox Survey No. 432, Nellie D. Mundy Survey No. 241, J.L. Johannsen Survey No. 185, and S.A. & M.G. R.R. Co. Survey No.'s 265 and 266, City of El Paso, El Paso County, Texas. **(District 1)**
[Planning, Research & Development, Rudy Valdez, 541-4635]

32. PUBLIC HEARING – POLICE:

Public Hearing in accordance with Section 6.16.80 of the El Paso Municipal Code to determine whether Veronica Pena d/b/a United Independent Cab Company is fit, willing and able to provide taxi service in the City of El Paso and whether the Chief of Police should be authorized to issue an operating permit to United Independent Cab Company to operate (19) taxicabs pursuant to Title 6 of the Municipal Code.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]

- 33.** The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY
 Section 551.072 DELIBERATION REGARDING REAL PROPERTY
 Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
 Section 551.074 PERSONNEL MATTERS
 Section 551.076 DELIBERATION REGARDING SECURITY DEVICES
 Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 33A.** Subrogation Interest Regarding Dale Munoz (551.071)
[City Attorney's Office, Maria Guadalupe Martinez, (915) 541-4550]
- 33B.** Discussion and action on pending claim regarding Vicki Magness (551.071)
[City Attorney's Office, Maria Guadalupe Martinez, (915) 541-4550]
- 33C.** Discussion and action on Truett L. Maddox, et. al. vs. The City of El Paso, et. al.,
Cause No. 92-14046 (551.071)
[City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 33D.** TREMCO Inc. and Four Star Roofing Claim (551.071)
[City Attorney's Office, Lupe Cuellar (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY
AT THE FOLLOWING ADDRESS: <http://www.elpasotexas.gov>**